

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$12,135.00 IN UNITED STATES
CURRENCY,

Defendant.

8:06CV494

ORDER

NOW ON THIS 14 day of February, 2007, this matter comes on before the Court upon the Stipulation of the parties (Filing No 20). The Court reviews the file and the Stipulation, and, being duly advised on the premises, finds as follows:

1. Six thousand, sixty-seven dollars and fifty cents of the Defendant property should be returned to the Claimants, Ian Livingston, Donald Livingston and Shirley Livingston, by delivering the same to the trust account of his attorney of record, Jason E. Troia.

2. Pursuant to this Court's Order dated July 26, 2006(Filing No. 5), the United States Marshal for the District of Nebraska ("Marshal") has published notice of his intent to dispose of the property in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on September 14, 2006(Filing No. 15). In response to said published notice, no person or entity has filed a Petition setting forth any legal or equitable interest in the Defendant property.

3. The balance of the Defendant property, viz., \$6,067.50, should be forfeited to the United States.

4. The parties' Stipulation should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The parties' Stipulation is hereby approved.

B. Six thousand, sixty-seven dollars and fifty cents of the Defendant property shall be returned to the Claimants, Ian Livingston, Donald Livingston and Shirley Livingston, by delivering the same to their attorney of record, Jason E. Troia. The Marshal shall deliver said amount by making payment to Jason E. Troia's Trust Account.

C. Pursuant to this Court's Order dated July 26, 2006 (Filing No. 5), the Marshal has published notice of his intent to dispose of the property in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on September 14, 2006 (Filing No. 15). No person or entity has filed a Petition, in response to said published notice, setting forth any legal or equitable interest in the subject property.

D. The remaining Defendant property, viz., \$6,067.50 in United States Currency, is hereby forfeited to the United States. All right, title or interest in or to the Defendant property held by any person or entity is hereby forever barred and foreclosed.

E. The Marshal shall dispose of said \$6,067.50 in United States Currency in accordance with law.

F. Upon Mr. Troia's receipt of the check for \$6,067.50, as mentioned above, Mr. Troia shall file a Receipt for said amount. Upon the filing of said Receipt, this Court shall enter a Judgment in this action.

BY THE COURT:



F. A. GOSSETT, III
UNITED STATES MAGISTRATE JUDGE

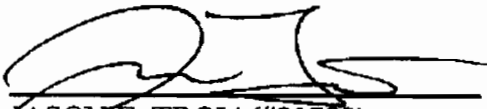
Prepared and submitted by:

Nancy A. Svoboda (#17429)
Attorney for the Plaintiff
1620 Dodge Street, Suite 1400
Omaha, Nebraska 68102-1506
(402) 661-3700

Approved as to form and content:

\$12,135.00 IN UNITED STATES
CURRENCY, Defendant, and
IAN LIVINGSTON, DONALD LIVINGSTON
and SHIRLEY LIVINGSTON, Claimants

By:



JASON E. TROIA (#21793)
Attorney at Law
1001 Farnam St., 3rd Floor
Omaha, NE 68102
(402) 341-0700